

Docket No. 01776-4021US5

Express Mail No. EV245491937US



27123

PATENT TRADEMARK OFFICE

↑AFFIX CUSTOMER NO. LABEL ABOVE ↑

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY APPLICATION AND FEE TRANSMITTAL §(1.53(b))

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s) names and addresses:

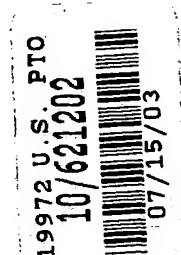
- (1) Toshio ENDO
Kuba 4-13-5, Ohtake-shi,
Hiroshima-Ken, JAPAN
- (2) Terumasa DAITO
3-cho 4-1, Hamadera Minami-machi, Sakai-shi,
Osaka-fu, JAPAN

☐ Additional inventors are listed on a separate sheet

For: A FATTY ACID ESTERS COMPOSITION OF A POLYGLYCERINE, A
PROCESS FOR THE PREPARATION THEREOF, A PROCESS FOR THE
PREPARATION OF A HIGHLY-PURIFIED FATTY ACID ESTERS
COMPOSITION OF A POLYGLYCERINE, A HIGHLY-PURIFIED FATTY ACID
ESTERS COMPOSITION OF A POLYGLYCERINE, AN ADDITIVE FOR FOOD-
STUFFS, A RESIN COMPOSITION, AND A COMPOSITION FOR COSMETICS
OR DETERGENTS

Enclosed Are:

- 165 page(s) of specification
1 page(s) of Abstract
2 page(s) of claims
27 sheets of ☒ Formal ☐ Informal drawings



7 page(s) of Declaration and Power of Attorney

- ☐ Unsigned
- ☐ Newly Executed
- ☒ Copy from prior application
- ☒ Deletion of inventors including Signed Statement under 37 C.F.R. §1.63(d)(2)

☐ **REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) (form PTO/SB/35)**

As indicated on the attached Request and Certification, Applicant(s) certify that the invention disclosed in the attached application HAS NOT and WILL NOT be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. Applicant(s) therefore request(s) that the attached application NOT be published under 35 U.S.C. §122(b).

☒ Incorporation by Reference:

- ☒ The entire disclosure of the prior application, from which a copy of the combined Declaration and Power of Attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

☒ Deletion of Inventors (37 C.F.R. §1.63(d)(2) and §1.33(b))

Signed statement attached deleting inventor(s) named in the prior application serial no. 09/924,579, filed August 9, 2001, and 08/618,504 filed March 19, 1996, now U.S. Patent No. 6,278,008.

☐ Microfiche Computer Program (Appendix)

- ☐ page(s) of Sequence Listing
- ☐ computer readable disk containing Sequence Listing
- ☐ Statement under 37 C.F.R. §1.821(f) that computer and paper copies of the Sequence Listing are the same

☒ Assignment Papers (assignment cover sheet and assignment documents)

- ☐ A check in the amount of \$40.00 for recording the Assignment
- ☐ Charge the Assignment Recordation Fee to Deposit Account No. 13-4500, Order No. _____
- ☒ Assignment Papers filed in application Serial No. 08/618,504, and Notice of Recordation at Reel 7914, Frame 0467, dated March 19, 1996.

☐ Certification of chain of title pursuant to 37 C.F.R. §3.73(b)

☒ Priority is claimed under 35 U.S.C. §119 for:

Application No(s). 7-227073, filed August 11, 1995, in Japan;
7-344844, filed December 6, 1995, in Japan; and
8-006743, filed January 18, 1996, in Japan.

☒ Certified Copy of Priority Document(s) [_____]

- ☐ filed herewith
- ☒ filed in application Serial No. 08/618,504, filed March 19, 1996.

☐ English translation document(s) [____]

☐ filed herewith

☐ filed in application Serial No. _____, filed _____.

☐ Priority is claimed under 35 U.S.C. §119(e) for:
Provisional Application No. _____, filed _____.

☐ Information Disclosure Statement

☐ Copy of [____] cited references

☐ PTO Form-1449

☐ References cited in parent application Serial No. _____, filed _____.

☐ Related Case Statement under 37 C.F.R. §1.98(a)(2)(iii)

☐ A copy of related pending U.S. Application(s) Serial No(s): _____, filed _____, respectively, is attached hereto.

☐ A copy of related pending U.S. Application(s) entitled, _____, filed _____ to inventor(s) _____, respectively, is attached hereto.

☐ A copy of each related application(s) was submitted in parent application serial no. _____, filed _____.

☒ Preliminary Remarks

☒ Return receipt postcard (MPEP 503)

☒ This is a ☐ continuation ☒ divisional ☐ continuation-in-part of prior application serial no. 09/924,579, filed August 9, 2001, to which priority under 35 U.S.C. §120 is claimed.

☐ Cancel in this application original claims _____ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

☐ A Preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application).

☒ The status of the parent application is as follows:

☐ A Petition for Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until _____.

☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.

☒ No Petition for Extension of Time and Fee therefor are necessary in the co-pending parent application.

☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this

application co-pending.

- ☐ Transfer the drawing(s) from the parent application to this application
- ☒ Amend the specification by inserting before the first line the sentence:
This is a ☐ continuation ☒ divisional ☐ continuation-in-part of co-pending
application Serial No. 09/924,579, filed August 9, 2001; which is a divisional of
application Serial No. 08/618,504, filed March 19, 1996, now U.S. Patent No.
6,278,008.

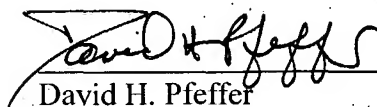
I. CALCULATION OF APPLICATION FEE				
	Number Filed	Number Extra	Rate	Basic Fee \$750.00/375.00
Total Claims	7- 20 =	0x	\$18.00/ \$9.00	\$
Independent Claims	2- 3 =	0x	\$84.00/ \$42.00	\$
<input type="checkbox"/> Multiple Dependent Claims		If marked, add fee of \$280.00 (\$140.00)		\$
TOTAL:				\$ 750.00

- ☐ Small entity status is or has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith \$_____.
- ☒ A check in the amount of \$750 in payment of the application filing fees is attached.
- ☐ Charge fee to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application pursuant to 37 CFR §1.16, **including all extension of time fees pursuant to 37 C.F.R. § 1.17 for maintaining copendency** with the parent application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 01776-4021US5. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: July 15, 2003

By:


David H. Pfeffer
Registration No. 19,825

Correspondence Address:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Toshio ENDO et al.

Serial No.: To Be Assigned (Divisional Group Art Unit: To Be Assigned
 claiming priority to 08/618,504
 filed 03/19/96 and 09/924,579
 filed 08/09/01)

Filed: July 23, 2003 Examiner: To Be Assigned

For: A FATTY ACID ESTERS COMPOSITION OF A POLYGLYCERINE, A
PROCESS FOR THE PREPARATION THEREOF, A PROCESS FOR THE
PREPARATION OF A HIGHLY-PURIFIED FATTY ACID ESTERS
COMPOSITION OF A POLYGLYCERINE, A HIGHLY-PURIFIED FATTY ACID
ESTERS COMPOSITION OF A POLYGLYCERINE, AN ADDITIVE FOR FOOD-
STUFFS, A RESIN COMPOSITION, AND A COMPOSITION FOR COSMETICS
OR DETERGENTS

EXPRESS MAIL CERTIFICATE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail Label No.: **EV245491937US**

Date of Deposit: **July 15, 2003**

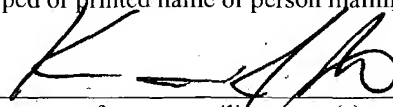
I hereby certify that the following attached paper(s) and/or fee

1. Divisional Application And Fee Transmittal Form (§1.53(b));
2. Divisional Patent Application, including 165 pages of specification,
2 pages of claims (claims 1-7), 1 page of Abstract, 27 sheets of
drawings (Figs. 1-27);
3. Preliminary Remarks;
4. Statement Requesting Deletion of Inventor (§§1.63(d)(2), 1.33(b));
5. Photocopy of Declaration and Power of Attorney (7 pages);
6. Photocopy of Recordation of Assignment and Signed Assignment
Papers;
7. A Check in the Amount of \$750.00 for filing fee;
8. Return Receipt Postcard.

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Karen J. Axt

(Typed or printed name of person mailing papers(s) and/or fee)



(Signature of person mailing paper(s) and/or fee)

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